

DREW FINDLING
MARISSA GOLDBERG
The Findling Law Firm PC
3575 Piedmont Road
NE Tower 15, Suite 1010
Atlanta, GA 30305
Telephone: (404) 460-4500
Email: drew@findlinglawfirm.com

JONATHAN M. BRAYMAN
Breen & Pugh
53 W. Jackson Blvd., Suite 1550
Chicago, IL 60604
Telephone: (312) 360-1001
Email: jbrayman@breenpughlaw.com

CHRISTY O'CONNOR (Bar No. 250350)
The Law Office of Christy O'Connor
360 East 2nd Street, Suite 800
Los Angeles, California 90012
Telephone: (323) 716-5959
Email: christy@christyoconnorlaw.com

Attorneys for Defendant
DURK BANKS

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES,

Plaintiff,

v.

DURK BANKS,

Defendant.

Case No. 2:24-cr-00621-MWF

**[PROPOSED] ORDER DEFENDANT
DURK BANKS' EX PARTE
APPLICATION TO FILE
OVERSIZED MEMORANDUM**

Defendant Durk Banks, through his attorneys, Drew Findling, Marissa Goldberg, Jonathan M. Brayman, and Christy O'Connor, hereby files this *ex parte* application for leave to file an oversized memorandum in support of Mr. Banks Motion in Limine to
//

1 Exclude Government's Proposed FRE 404(b) Evidence.

2 This application is based on the files and records in this case and the attached
3 declaration of counsel.

4
5 Respectfully submitted,

6 Dated: October 6, 2025

7 BY: /s/ Marissa Goldberg
8 Drew Findling
9 Marissa Goldberg
Jonathan M. Brayman
Christy O'Connor
10 *Attorneys for Durk Banks*
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF MARISSA GOLDBERG

I, Marissa Goldberg, declare as follows:

1. I am counsel of record for defendant Durk Banks, and I have been admitted *pro hac vice* to practice in this court.

2. Filed concurrently with this application is a 27-page motion in limine and supporting memorandum for the exclusion of the government's proposed FRE 404(b) evidence.

3. This Court's Local Rules limit memoranda to 7,000 words. L.R. 11-6.1 (word limit); L. Cr. R. 57-1 (application in criminal cases). The Court's criminal standing order similarly limits memoranda to 25 pages.

4. The government's 404(b) notice to the defense lists 10 proposed "other acts." In moving to exclude, it is necessary for the defense to address each of these proposed acts in turn and analyze the law's application to each. An enlargement of the default work limit is warranted in order to address adequately the sweeping breadth of the government's proposed "other act" evidence, and to do so in one consolidated motion, for the Court's and the parties' convenience.

5. Good cause therefore exists for granting leave to file the proposed oversized memorandum. Such leave will ensure that the issues in this matter are fully and efficiently briefed, and that avoids a piecemeal presentation of the issues.

6. The government has communicated that it takes no position on this request.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: October 6, 2025

By /s/ Marissa Goldberg

Marissa Goldberg
Attorney for Durk Banks